

# JONES DAY

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# ORIGINAL

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May 9, 2005

## VIA FEDERAL EXPRESS

The Honorable Dean Jackson  
Administrative Law Judge  
Illinois Commerce Commission  
527 E. Capitol Ave.  
Springfield, Illinois 62701

**RECEIVED**  
MAY 10 2005  
Illinois Commerce Commission  
RAIL SAFETY SECTION

Re: Docket T04-0084 - Coffeen and Western Railroad Company

Dear Judge Jackson:

Pursuant to May 2, 2005, bench requests, I have enclosed with this letter:

- 1) one 11" x 17" copy of Exhibit A (the overview map of proposed Route A),
- 2) one 24" x 36" copy of Exhibit A,
- 3) one 11" x 17" copy of Exhibits C.1 through C.10 (individual design details of each proposed grade crossing).

I have also enclosed copies of Exhibit F (entered into evidence at hearing) and Revised Exhibit B (modified to include information on the private drive crossing on the Spaeth property, which was referred to at the hearing in the testimony of Robert Neff), with attached verification.

A copy of this letter, with enclosed copies of the aforementioned Exhibits F and B, have been served on the attached Service List.

By this letter, I also confirm that all parties have been invited to a viewing of the physical sites of each proposed grade crossing, on May 17, 2005. Parties wishing to participate in the viewing should meet at the Hillsboro Courthouse at 10:00 a.m. Petitioner will provide bus transportation from the Hillsboro Courthouse to the sites of the proposed grade crossing at that time.

**DOCKETED**  
MAY 18 2005

CHI-1475674v1

The Honorable Dean Jackson  
May 9, 2005  
Page 2

Please let me know if additional information is needed.

Sincerely,

A handwritten signature in black ink, appearing to read 'Laura M. Earl', with a stylized, flowing script.

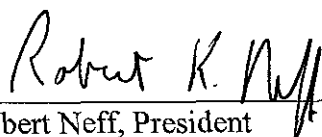
Laura M. Earl

Enclosure

cc: Service List

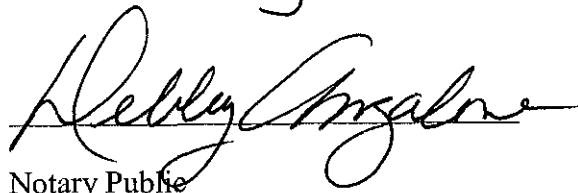
### VERIFICATION

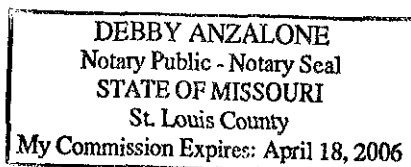
Robert Neff, being duly sworn on oath, deposes and states that he is the president of Coffeen and Western Railroad Company; that he is duly authorized by said railroad company to sign and verify the foregoing Exhibits B and F; that he has knowledge of the matters set forth in said Exhibits and that the same are true and correct.

  
Robert Neff, President  
Coffeen and Western  
Railroad Company

Subscribed and sworn to before me this

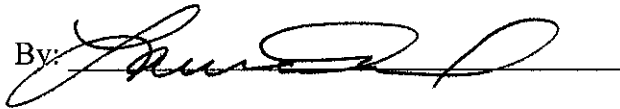
6th day of May, ~~2004~~: 2005.

  
Notary Public



### **PROOF OF SERVICE**

I, Laura M. Earl, certify that on May 9, 2005, I served a copy of the foregoing letter and enclosed Exhibits B and F by Federal Express to the individuals on the Commission's Service List for this docket.

By: 

Laura M. Earl, Attorney for Petitioner

**SERVICE LIST**  
**T04-0084**

|   |   |
|---|---|
| <p>Thomas M. Benson<br/>Special Assistant Attorney General<br/>Illinois Department of Transportation<br/>2300 S. Dirksen Pkwy, Rm 311<br/>Springfield, IL 62764</p> | <p>Tom Chappellear<br/>Highway Commissioner<br/>Grisham Township<br/>4175 Waveland Road<br/>Hillsboro, IL 62049</p>       |
| <p>John V. Edwards<br/>Attorney<br/>Norfolk Southern Corporation<br/>Three Commercial Place<br/>Norfolk, VA 23510</p>   | <p>Neil F. Flynn<br/>Attorney at Law<br/>1035 South Second Street<br/>Springfield, IL 62704</p>                           |
| <p>Phillip M. Gonet<br/>President<br/>Illinois Coal Association<br/>212 South Second Street<br/>Springfield, IL 62701</p>   | <p>Amy McNeal<br/>Montgomery County Highway Engineer<br/>1215 Seymour Ave., P.O. Box 70<br/>Hillsboro, IL 62049</p>       |
| <p>Victor A. Modeer<br/>Director of Highways-IDOT<br/>ATTN: Jeff Harpring, Room 205<br/>2300 South Dirksen Parkway<br/>Springfield, IL 62764</p>                    | <p>Jim Roberts<br/>State's Attorney<br/>Montgomery County<br/>120 North Main Street, Room 212<br/>Hillsboro, IL 62049</p> |
| <p>Steve Voyles<br/>Highway Commissioner<br/>East Fork Township<br/>17139 Illinois Route 185<br/>Coffeen, IL 62017</p>  | <p>Henry Humphries<br/>Illinois Commerce Commission<br/>527 East Capitol Avenue<br/>Springfield, Illinois 62701</p>       |
| <p>Dean DeVries<br/>Walshville Township Commissioner<br/>14 DeVries Lane<br/>New Douglas, Illinois 62074</p>  |   |

SEE

FORMAL

FILE

FOR

24 x 36 Exh. A

**COFFEEN & WESTERN RAILWAY  
PROPOSED ROAD-RAIL CROSSINGS  
AND SCHOOL DISTRICT BUS TRAFFIC**

**ROUTE A**

| Road                             | Station Number     | Hillsboro School District Bus Count | Litchfield School District Bus Count | Mt. Olive School District Bus Count | Total Bus Count (per run) <sup>1</sup> |
|----------------------------------|--------------------|-------------------------------------|--------------------------------------|-------------------------------------|--|
| CR 400 - N. 4 <sup>th</sup> Ave. | ECS 115+37         | 1                                   | None                                 | None                                | 1                                      |
| CR 1375 - Arrow Trail            | ECS 130+74         | None                                | None                                 | None                                | None                                   |
| CR 1275 - Buckeye Trail          | ECS 187+36         | 1                                   | None                                 | None                                | 1                                      |
| Ill Rte 127, CR 1125             | ECS 257+47         | 5                                   | None                                 | None                                | 5                                      |
| CR 1025 -Pheasant Trail          | ECS 334+96         | None                                | None                                 | None                                | None                                   |
| Fox Hunt Trail                   | ECS 366+88         | 1                                   | None                                 | None                                | 1                                      |
| CR 650/10 - Long Bridge Trail    | ECS 525+32<br>BN** | 1                                   | 1-2                                  | None                                | 2-3                                    |
| CR 350 - Loew Ave                | ECS 529+75<br>BN** | None                                | None                                 | None                                | None                                   |
| CR 625 Old Brushy Road           | ECS 541+46<br>BN** | None                                | 1-2                                  | None                                | 1-2                                    |
| CR 300 - N. 3 <sup>rd</sup> Ave. | ECS 575+25<br>BN** | None                                | 1-2                                  | None                                | 1-2                                    |
| CR 425 - Elm Trail               | ECS 529+90<br>UP** | None                                | 1-2                                  | None                                | 1-2                                    |

**ROUTE B**

| Road                             | Station Number | Bond County School District Bus Count |
|----------------------------------|----------------|---------------------------------------|
| CR 9 - Panama Ave.               | ECS 33+15      | None                                  |
| CR 625 - Old Brushy Road         | ECS 61+09      | None                                  |
| CR 575 - Singer Trail Road       | ECS 117+00     | 1                                     |
| CR 300 - N. 3 <sup>rd</sup> Ave. | ECS 199+46     | None                                  |

\*\* The "BN" or "UP" designation next to certain station numbers indicates whether the location is for the BN or UP connection portion of Route A as applicable.

OFFICIAL FILE

ILL. C. C. DOCKET NO. 704-0084

Richardson Exhibit No. F

Witness \_\_\_\_\_

Date 5-2-05 Reporter CB

<sup>1</sup> The total school bus count is for each run, one in the morning one in the afternoon. The morning run extends from approximately 7:00 am to 8:00 am. The afternoon run is approximately between 3:00 pm to 4:00 pm.

**EXHIBIT B**  
(Revised per May 2, 2005 Bench Request)

**Proposed Railroad Grade Crossings**

**ROUTE A**

| <b>Roads - all within Montgomery County</b> | <b>Township</b> | <b>Type</b> | <b>Station Number</b> | <b>Crossing Method</b>       | <b>Safety Device</b> | <b>ADT</b> |
|---|-----------------|-------------|-----------------------|------------------------------|----------------------|------------|
| Brackett                                    | East Fork       | Private     | ECS 67+00             | At Grade                     | Crossbucks           | N/A        |
| CR 400 - N. 4 <sup>th</sup> Ave.            | East Fork       | Public      | ECS 115+37            | At Grade                     | Crossbucks           | 225        |
| CR 1375 - Arrow Trail                       | East Fork       | Public      | ECS 130+74            | At Grade                     | Crossbucks           | 25         |
| CR 1275 - Buckeye Trail                     | East Fork       | Public      | ECS 187+36            | At Grade                     | Crossbucks           | 75         |
| Ill Rte 127, CR 1125                        | NA (IDOT)       | Public      | ECS 257+47            | At Grade                     | Flashers/<br>Gates   | 2500       |
| CR 1025 -Pheasant Trail                     | Grisham         | Public      | ECS 334+96            | At Grade                     | Crossbucks           | 25         |
| CR 900 - Fox Hunt Trail                     | Grisham         | Public      | ECS 366+88            | At Grade                     | Crossbucks           | 200        |
| Spaeth                                      | Grisham         | Private     | ECS 307+08            | At Grade                     | Crossbucks           | N/A        |
| Laughlin Lane                               | Grisham         | Private     | ECS 401+65            | Grade Separated <sup>1</sup> | N/A                  | N/A        |
| CR 650/10 – Long Bridge Trail               | NA (County)     | Public      | ECS 525+32<br>BN**    | At Grade                     | Crossbucks           | 450        |
| CR 350 – Loew Ave                           | Grisham         | Public      | ECS 529+75<br>BN**    | At Grade                     | Crossbucks           | 450        |
| CR 625 Old Brushy Road                      | Grisham         | Public      | ECS 541+46<br>BN**    | At Grade                     | Crossbucks           | 100        |
| CR 300 - N. 3 <sup>rd</sup> Ave.            | Walshville      | Public      | ECS 575+25<br>BN**    | Grade Separated <sup>2</sup> | N/A                  | 100        |
| Weiss                                       | Walshville      | Private     | ECS 581+25<br>BN**    | At Grade                     | Crossbucks           | N/A        |
| CR 425 – Elm Trail                          | Grisham         | Public      | ECS 529+90<br>UP**    | At Grade                     | Crossbucks           | <500*      |

\* ADT volumes are not published for these roads. Instead, the number shown reflects the highest ADT volume of surrounding roads.

\*\* The "BN" or "UP" designation next to certain station numbers indicates whether the location is for the BN or UP connection portion of Route A as applicable.

<sup>1</sup> This crossing is proposed as a grade separated crossing in order to accommodate the area topography.

<sup>2</sup> This crossing is proposed as a grade separated crossing in order to accommodate the crossing of Lake Fork Creek.